



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

27

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/814,163

04/01/2004

Roger J. M. Peeters

0142-0453P

7376

2292

7590

05/17/2006

BIRCH STEWART KOLASCH & BIRCH

PO BOX 747

FALLS CHURCH, VA 22040-0747

EXAMINER

JOERGER, KAITLIN S

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,163

Applicant(s)

PEETERS, ROGER J. M.

Examiner

Kaitlin S. Joerger

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/1/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al. (6,574,011).

Regarding independent claim 1, Sato et al. teaches a sheet processing system for feeding sheet successively along a supply path to a sheet deposition station where the sheets are collected, the sheet processing system containing a means for temporarily interrupting the supply of successive sheets to the sheet deposition station to enable processing of the sheet collected at the station, the interrupting means comprising:

- a sheet buffering member, 505, having an outer surface;
- supply means, 503, for supplying sheets successively to the sheet buffering member, and;
- means for conveying sheets assembled on the buffer member to the deposition station, wherein the sheet buffering member, when sheets are supplied thereto, is continuously cycled with a cycling period for assembling successively supplied sheets on its endless outer surface in a superimposed relationship, the superimposed relationship being such that each successive sheet of the conveyed sheets at least

Art Unit: 3653

partially overlaps with the preceding sheet assembled on the buffering member while avoiding completely covering the buffering member, see figures 8-11.

Regarding claims 2 and 3, the cycling period of the sheet buffering member is smaller than or equal to the interval between the arrival of the leading edge of a first sheet and the arrival of the leading edge of the second sheet at the buffering member, see column 11, lines 11+.

Regarding claims 5 and 6, the system further comprises first and second rotatable pressure members, 512 and 513, which are resiliently urged against the buffer member. The pressure members are positioned such that when sheets are assembled on the buffer member, at any time at least one of the first and second pressure members contacts the superimposed sheets assembled on the buffer member, see figures 8-11.

Regarding claims 7, 8, and 9, the system further comprising a control means for controlling the buffer member in a first and second mode:

- in the first mode sheets are fed successively along the supply path to the buffer member and successively conveyed therefrom to the sheet deposition station, 630, see figure 7;
- in the second mode the buffering member is cycled for assembling successively supplied sheets on its surface in a superimposed relationship, see figures 8-10.

The device of Sato et al. further includes a switch, 522, for acting on the buffering member, as claimed in claim 8, and the deposition station is an intermediate tray, as claimed in claim 9.

Sato et al. further teaches a method for controlling a sheet processing system, as claimed in independent claim 10, in which a sheet buffering member is provided to operate in one of at

Art Unit: 3653

least a first and second mode; a supply means is provided for supplying sheets to the buffering member; controlling the buffering member to operate in the first mode, where sheets are transported to the deposition station, or in the second mode, where sheets are assembled on the buffering member and then transported to the deposition station, see column 11, lines 9+.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (6,574,011) in view of Helmstadter et al. (6,622,623).

Sato et al. teaches all of the feature of the claimed invention except for a an adhesive material on the outer surface of the buffer member. Helmstadter et al. teaches transporting sheets in a printing machine on the outer surface of transporting drums, wherein the outer surface comprises adhesive material, see the abstract.

It would have been obvious to one of ordinary skill in the art to put the adhesive material taught by Helmstadter et al. on the buffer member of Sato et al. if one desired to be able to ensure that the sheet are held securely in position on the surface of the buffer member.

Art Unit: 3653

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaitlin S. Joerger whose telephone number is 571-272-6938. The examiner can normally be reached on Monday - Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksj


10 May 2006


5/15/06
DEAN J. KRAMER
PRIMARY EXAMINER